

AUG 20 2004

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute of Form 149/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	10/713,880
		Filing Date	11/13/2003
		First Named Inventor	S. Reinecke
		Art Unit	3764
		Examiner Name	Not yet assigned
Sheet	1	of	2
		Attorney Docket Number	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		DE 10007635 A1	07/19/2001	Peter Kubin		
		DE 10007634-A1	07/12/2001	Peter Kubin		
		CH 0680308A	08/31/2000	Peter Kubin		
		CH 0689797A	11/30/1999	Peter Kubin		

Examiner Signature	Dinwiddie, Dwayne Green	Date Considered	11/15/04
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<sup>1</sup>EXAMINER! Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.13). <sup>5</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>Substitute for form 1449/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>		<b>Complete If Known</b>	
		<b>Application Number</b>	10/713,880
		<b>Filing Date</b>	11/13/2003
		<b>First Named Inventor</b>	S. Reinecke
		<b>Art Unit</b>	3764
		<b>Examiner Name</b>	Not yet assigned
Sheet	2	of	2
		Attorney Docket Number	

## NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.**

Applicant's unique citation designation number (optional).  Applicant is to place a check mark here if English language translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:  
**Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO-1449 <b>Information Disclosure Citation in an Application</b>		Application No.	Applicant(s)		
		Docket Number <b>068612.0220</b>	Steven M. Reinecke, et al. Group Art Unit	Filing Date <b>November 13, 2003</b>	

**U.S. PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
006	A	1,589,670	06/22/1926	Vartia			11/15/1924
006	B	2,835,247	05/20/1958	Stabholc	128	78	08/29/1956
006	C	3,029,810	08/17/1962	Martin	128	78	08/01/1960
006	D	3,351,053	11/07/1967	Stuttle	128	78	11/13/1962
006	E	3,420,230	01/07/1969	Ballard	128	75	12/06/1965
006	F	3,521,623	07/28/1970	Nichols et al.	128	78	02/12/1965
006	G	3,548,817	12/22/1970	Mittasch	128	75	04/29/1968
006	H	3,598,114	08/10/1971	Lewis	128	78	03/26/1969
006	I	3,889,664	06/17/1975	Heuser et al.	128	75	05/13/1974
006	J	3,926,182	12/16/1975	Stabholz	128	75	01/24/1974
006	K	4,135,503	01/23/1979	Romano	128	78	01/05/1977
006	L	4,269,179	05/26/1981	Burton et al.	128	75	03/22/1979
006	M	4,497,517	02/05/1985	Gmeiner et al.	297	231	06/30/1982
006	N	4,552,135	11/12/1985	Racz et al.	128	78	03/05/1984

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
O		19610018A1	17.10.1996	Germany	A61F	5/042		X
P		2637244A1	16.06.1977	Germany	A61H	1/02		X
Q		0864308A1	16.09.1998	European	A61F	5/02	X	

**NON-PATENT DOCUMENTS**

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	R	Unknown, "Office, Computer and Industrial Ergonomics," AliMed, Dedham, Massachusetts, 2 page brochure	1993
	S	Unknown, "1992 Catalog," The Saunders Group, Inc., brochure, 2 pages	1992
	T	Unknown, "Catalog for Rehabilitation Professionals," Flaghouse Rehab., 2 pages	Undated

**EXAMINER***Virginia Dorsey Greene***DATE CONSIDERED***11/15/04*

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PTO-1449		Application No.	Applicant(s)		
Information Disclosure Citation in an Application		Steven M. Reinecke, et al.			
		Docket Number 068612.0220	Group Art Unit	Filing Date November 13, 2003	

## U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
006	A	4,559,933	12/24/1985	Batard et al.	128	78	06/23/1983
006	B	4,599,998	07/15/1986	Castillo	128	77	06/01/1984
006	C	4,622,957	11/18/1986	Curlee	128	78	07/03/1984
006	D	4,682,588	07/28/1987	Curlee	128	78	05/07/1985
006	E	4,685,668	08/11/1987	Newlin, Jr.	272	123	10/30/1986
006	F	4,691,696	09/08/1987	Farfan de los Godos	128	78	02/01/1985
006	G	4,702,235	10/27/1987	Hong	128	78	05/17/1986
006	H	4,715,362	12/29/1987	Scott	128	75	02/27/1986
006	I	4,721,102	01/26/1988	Pethybridge	128	78	08/16/1986
006	J	4,836,194	06/06/1989	Sebastian et al.	128	78	08/17/1987
006	K	4,884,562	12/05/1989	Stone	128	78	12/22/1986
006	L	4,898,185	02/06/1990	Fuller	128	876	02/24/1989
006	M	4,907,575	03/13/1990	Satterthwaite	128	75	08/03/1988
006	N	4,991,572	02/12/1991	Chases	128	75	10/30/1989
006	O	4,991,573	02/12/1991	Miller	128	78	03/26/1990

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
P		WO 02/069858 A1	12.09.2002	✓ PCT	A61F	5/02	X	
Q								

## NON-PATENT DOCUMENTS

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
R		Reinecke et al., "Traction Device," patent application, 09/875,486, pending	06/05/2001
S		Reinecke et al., "Canting Mechanism for an Ambulatory Support Device," patent application, 09/875,473, pending	06/05/2001
T		Reinecke et al., "Traction Device Adjustment Mechanism and Method," patent application, 09/875,315, pending	06/05/2001
U		Reinecke et al., "Measurement Device for Fitting a Bracing Device," patent application, 10/154,695, pending	05/23/2002

## EXAMINER

*Minhajul Dorken-Greene*

## DATE CONSIDERED

*11/15/02*

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PTO-1449		Application No.	Applicant(s)		
Information Disclosure Citation in an Application		Steven M. Reinecke et al.			
		Docket Number 068612.0220	Group Art Unit	Filing Date November 13, 2003	

## U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
006	A	5,060,640	10/29/1991	Rasmussen	128	80 C	03/14/1990
006	B	5,062,414	11/05/1991	Grim	128	68.1	01/11/1990
006	C	5,111,807	05/12/1992	Spahn et al.	606	244	10/11/1990
006	D	5,144,943	09/08/1992	Luttrell et al.	128	25 B	07/09/1990
006	E	5,188,586	02/23/1993	Castel et al.	602	19	10/04/1991
006	F	5,207,635	05/04/1993	Richards et al.	602	19	02/27/1992
006	G	5,256,135	10/26/1993	Avihod	602	19	01/23/1992
006	H	5,363,863	11/15/1994	Lelli et al.	128	876	04/23/1993
006	I	5,382,226	01/17/1995	Graham	602	32	02/12/1993
006	J	5,403,266	04/04/1995	Bragg et al.	602	5	07/06/1993
006	K	5,437,617	08/01/1995	Heinz et al.	602	19	08/29/1994
006	L	5,441,479	08/15/1995	Chitwood	602	18	09/13/1993
006	M	5,462,518	10/31/1995	Hatley et al.	602	36	03/07/1994
006	N	5,586,969	12/24/1996	Yewer, Jr.	602	19	06/16/1995
006	O	5,651,764	07/29/1997	Chiu	602	36	03/05/1996

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES
P							NO

## NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
Q	Reinecke, et al., "Traction Device and Associated Lifting Mechanisms," patent application, 10/335,694, pending	01/02/2003
R	Reinecke et al., "Ambulatory Cyclic Traction Device," patent application, 10/370,823, pending	02/20/2003
S	PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages	04/07/2002
T	PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages	04/07/2002
U	PCT, Notification of Transmittal of the International Search Report or the Declaration, 7 pages	04/07/2002

EXAMINER <i>Dinah Doster-Grave</i>	DATE CONSIDERED <i>11/15/04</i>
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	

PTO-1449		Application No.	Applicant(s)		
Information Disclosure Citation in an Application		Steven M. Reinecke et al.			
		Docket Number 068612.0220	Group Art Unit	Filing Date November 13, 2003	

## U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
006	A	5,681,267	10/28/1997	Molino et al.	602	19	10/15/1996
006	B	5,690,609	11/25/1997	Heinze, III	602	19	05/13/1996
006	C	5,722,940	03/03/1998	Gaylord, Jr. et al.	602	19	07/16/1996
006	D	5,913,410	06/22/1999	Tsuchiya	2	311	02/24/1998
006	E	5,916,188	06/29/1999	Ousdal	602	32	07/16/1997
006	F	6,099,490	08/08/2000	Turtzo	602	19	10/29/1998
006	G	6,146,345	11/14/2000	Mignard	602	19	09/04/1998c
006	H	6,533,740	03/18/2003	Reinecke et al.			06/05/2001
	I						
	J						
	K						
	L						

## FOREIGN PATENT DOCUMENTS

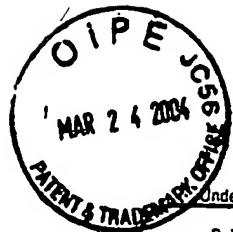
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							YES	NO
	M							
	N							
	O							
	P							
	Q							

## NON-PATENT DOCUMENTS

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	R	PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages	04/07/2002
	S	PCT, Notification of Transmittal of the International Search Report or the Declaration, 6 pages	31/01/2003
	T		
	U		

## EXAMINER

<i>Dinachari Doster-Green</i>	DATE CONSIDERED <i>11/15/04</i>
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PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Substitute for form 1449/PTO**

**Complete if Known**

Application Number	10/713,880
Filing Date	11/13/2003
First Named Inventor	Steven M. Reinecke
Art Unit	3764
Examiner Name	Unassigned
Attorney Docket Number	24004350.10030US-2

Sh

Sheet 1 of 1

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

## U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

Examiner  
Signature

Amelia Foster - Grease

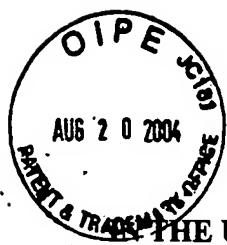
Date  
Considered

11/15/04

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Attorney Docket No.  
24004350.010030US-2

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Steven M. Reinecke, et al ) Group Art Unit: 3764  
Serial No.: 10/713,880 ) Examiner: Not yet assigned  
Filed: November 13, 2003 )  
For: Brace with Integrated Lumbar )  
Support System )

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant(s) hereby notify the U.S. Patent and Trademark Office of the document(s) which is/are listed on the attached Form PTO-SB/08A. One copy of the listed documents is submitted herewith.

X (1) This IDS does NOT require a fee or 37 C.F.R. § 1.97(e) statement because it is being filed (check all that apply):

       (a) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); OR

       (b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; OR

X (c) Before the mailing of a first Office action on the merits; OR

(d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

       2) This information disclosure statement is filed before the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and (check only one):

       (a) Is accompanied by the fee set forth in § 1.17(p); **OR**

       (b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

       (c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

       (3) This Information disclosure statement is filed on or before payment of the issue fee and is accompanied by the fee set forth in § 1.17(p); **AND** (check only one):

       (a) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

       (b) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of

information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

4) This Information disclosure statement is filed after payment of the issue fee and Applicant(s) understand that it will be placed in the file but will not be considered by the Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Please charge any deficiencies in connection with this Information Disclosure Statement to Deposit Account No. 13-0480 (please reference 24004350.010030US-2).

Respectfully submitted,

  
\_\_\_\_\_  
Richard V. Wells  
Reg. No. 53,757  
Attorney for Applicant

Date: 8/16/04

**Baker & McKenzie LLP**  
2300 Trammell Crow Center  
2001 Ross Avenue  
Dallas, TX 75201  
(214) 978-3006 (direct)  
(214) 978-3099 (facsimile)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Steven M. Reinecke et al.  
Date Filed: November 13, 2003  
Title: BRACE WITH INTEGRATED LUMBAR  
SUPPORT SYSTEM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

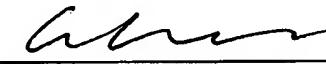
Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form, and previously cited in United States Patent Application No. 10/407,052, filed April 3, 2003 by Applicants and entitled "Dynamically Adjustable Stabilization Brace," be considered and cited in the examination of the above-identified continuation-in-part patent application. Pursuant to 37 C.F.R. § 1.98(d), copies of these references are not being furnished. Furthermore, no representation is made that these references qualify as prior art, that a search has been made, or that these references are material to the patentability of the present application.

Pursuant to 37 C.F.R. § 1.97(b), no fee is believed due. If, however, Applicants have overlooked the need for a fee, the Commissioner is hereby authorized to charge any underpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
BAKER BOTT S L.L.P.  
Attorneys for Applicants

  
Christopher W. Kennerly

Registration No. 40,675

Dated: November 13, 2003

CUSTOMER NUMBER **05073**



10/713,880

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: ) Group Art Unit: 3764  
Reinecke, et al. )  
Serial No.: 10/713,880 ) Examiner: Unassigned  
Filed: November 13, 2003 )  
For: BRACE WITH INTEGRATED )  
LUMBER SUPPORT SYSTEM )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

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       (b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; OR

X (c) Before the mailing of a first Office action on the merits; OR

(d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

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(a) Is accompanied by the fee set forth in § 1.17(p); **OR**

(b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

(c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

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(a) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

(b) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to

the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

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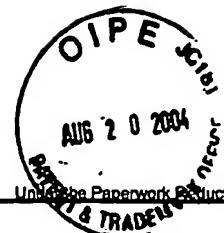
Respectfully submitted,

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		Filing Date	11/13/2003
		First Named Inventor	S. Reinecke
		Art Unit	3764
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